REMARKS

Claim 14 has been cancelled.   Claims 1, 15, and 27 have been amended. Support for these amendments can be found at, for example, ¶¶[025]-[030], and claims 11-12, of the Specification as filed. Accordingly, no new matter has been added.

Claim Rejections – 35 USC §103

The Examiner rejected claims 1-13 and 15-26 under 35 U.S.C. §103(a) as being allegedly unpatentable over various combinations of Great Britain Pub. No. 2282928 A to *Childs et al.* ("*Childs*"), U.S. Patent No. 6,897,876 to *Murdoch et al.* ("*Murdoch*"), U.S. Patent No. 5,937,089 to *Kobayashi* ("*Kobayashi*"), U.S. Patent No. 6,421,142 to *Lin et al.* ("*Lin*"), and U.S. Patent Application Publication No. 2004/0056867 to *Cui et al.* ("*Cui*"). Applicant respectfully traverses, noting that none of these references, singly or in combination, discloses every element of the claims as amended. More specifically, none discloses scaling only out-of-gamut image data back into gamut range, or a scaling factor determined according to a ratio between the maximum allowed value and the maximum value of C1, C2, C3, and W.

As noted by Examiner, neither *Childs* nor *Murdoch* discloses scaling out-of-gamut image data points into gamut range (Office Action, p. 7). Accordingly, neither *Childs* nor *Murdoch* can disclose scaling <u>only</u> out-of-gamut image data points back into gamut range, and neither can disclose scaling out-of-gamut image data points into gamut range according to a scaling factor determined according to any ratio.

Kobayashi does not cure either of these deficiencies. *Kobayashi* at most only discloses scaling of image data without regard to whether they are in or out of gamut range (Col. 5:66-67). *Kobayashi* never discloses that its scaling is in any way limited to only out-of-gamut image data. Furthermore, *Kobayashi* – discloses that its scaling is performed using a scaling coefficient calculated from the difference between lightness coordinates of output white (Y_{OW}) and output black (Y_{OK}), respectively (Col. 5:60-65). That is, the scaling coefficient of *Kobayashi* is equal to $Y_{OW} - Y_{OK}$: "[t]he scaling coefficient calculator 10 <u>subtracts Y_{OK} from Y_{OW} to calculate a scaling coefficient (scl)</u>" (Col. 5:64-65) (emphasis added). Accordingly, *Kobayashi* discloses scaling according to a <u>difference</u>, not according to a <u>ratio</u>, and certainly not according to a ratio between the maximum allowed value and the maximum value of C1, C2, C3, and W.

Neither *Lin* nor *Cui* appear to disclose scaling that is limited only to out-of-gamut image

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data, or scaling according to a ratio between the maximum allowed value and the maximum value

of C1, C2, C3, and W. *Lin* discloses mapping out-of-gamut colors to the gamut boundary, rather

than scaling (col. 11:28-34). *Cui* does not appear to disclose any scaling that is limited only to

out-of-gamut image data, and certainly does not appear to disclose that such scaling would be

performed according to any ratio between a maximum allowed value and a maximum value of

C1, C2, C3, and W.

 Accordingly, claims 1 and 15 as amended are patentable over each of the above

references, singly or in combination, for at least the reasons that each recites "scaling only the

out-of-gamut image data points" and scaling "according to a scaling factor that is determined

according to a ratio between the maximum allowed value and the maximum value of C1, C2, C3,

and W." Similarly, claim 27 as amended is patentable over each of the above references, singly

or in combination, for at least the reasons that it recites "scaling only the color components of the

out-of-gamut second colored image data," where this scaling is "performed according to a ratio

between the maximum allowed value and the maximum coefficient of said out-of-gamut second

colored image data." The remaining pending claims each depend from one of claims 1, 15, or

27, and are thus also patentable for at least these same reasons.

CONCLUSION

In light of the amendments and the preceding arguments, the applicant respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-5029 for any matter in connection with this response, including any fee for extension of time and/or fee for additional claims, which may be required. Please telephone the undersigned attorney at (408) 331-1671 if there are any questions.
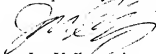
Respectfully submitted,

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